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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

United States Courts
Southern District of Texas
FILED

May 17, 2023

Nathan Ochsner, Clerk of Court

UNITED STATES OF AMERICA

VS.

(1) HARDIK JAYANTILAL PATEL,
aka Erik aka Mitesh aka Nick aka Dev, and

(2) DHIRENKUMAR VISHNUBHAI PATEL,

Defendants.

§§§§§

CRIMINAL NO. 4:23-cr-218

UNDER SEAL

CRIMINAL INDICTMENT

THE GRAND JURY CHARGES THAT:

INTRODUCTION

At times material to this Indictment:

1. Defendants and others known and unknown to the Grand Jury were members of a criminal fraud conspiracy (the “Fraud Ring”) operating within the Southern District of Texas and elsewhere. The members of the Fraud Ring targeted victims throughout the United States, with the primary objective of tricking victims into sending money to the Fraud Ring. Commonly, those who fell prey to this fraud scheme were elderly persons.

2. The scheme used various scams. One common scam involved members of the Fraud Ring based in India calling victims by telephone and misrepresenting themselves as U.S. government officials. They falsely stated that the victims were under investigation because the victims' Social Security numbers or identities were associated with criminal activity. To safeguard their assets, avoid arrest, or prevent government benefits from being cut off, the victims were instructed to send payment immediately.

3. Sometimes victims were told to mail parcels containing cash to names and addresses provided by the Fraud Ring. The addresses given were generally FedEx and UPS pick-up locations. Co-conspirators in the United States picked up these parcels using fake identification documents.

COUNT ONE
(Conspiracy to Commit Mail Fraud– 18 U.S.C. § 1349)

4. Beginning in or about March 2019 and continuing through in or about November 2019, within the Southern District of Texas and elsewhere, Defendants

(1) HARDIK JAYANTILAL PATEL
aka Erik aka Mitesh aka Nick aka Dev,

and

(2) DHIRENKUMAR VISHNUBHAI PATEL,

and others known and unknown to the Grand Jury, did knowingly conspire and agree to commit the offense of knowingly and with the intent to defraud, devising and intending to devise a scheme and artifice to defraud, and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, knowing that the pretenses, representations, and promises were false and fraudulent when made, and to knowingly use and cause to be used the United States mail and private and commercial interstate carriers for the purpose of executing the scheme and artifice to defraud in violation of 18 U.S.C. § 1341 (mail fraud).

A. The Manner and Means of the Scheme

In furtherance of this conspiracy and to effect the objects thereof, the Defendants and other unindicted co-conspirators used the following manner and means, among others:

5. Co-conspirators would make telephone calls to victims throughout the United States, including within the Southern District of Texas, and make false statements and promises, such as:

- a. that the caller worked for the United States government;
- b. that the victims were under investigation or scrutiny by the United States government; and
- c. that the victims could avoid further investigation or scrutiny or avoid the United States government taking action against the victims' assets by sending payment.

6. Generally, the Fraud Ring would instruct the victims to provide funds in one or more ways, including to mail cash in a parcel using a private mail carrier such as Federal Express ("FedEx"). Some parcels were mailed from locations within the Southern District of Texas.

7. Some parcels were mailed to FedEx locations inside various Walgreens drug stores, including stores within the Southern District of Texas.

8. When a parcel containing victim cash was mailed to a FedEx location inside a Walgreens drug store:

- a. A handler(s) would send a runner to pick up the parcel using a false identification document matching the name of the recipient on the parcel.
- b. When the runner had the parcel, the runner would make a video recording counting the cash in the parcel.
- c. The runner would send the video recording to other co-conspirator(s), including his or her handler(s).

- d. After taking a cut of the proceeds from the cash, the runner would deliver to others or transmit of the remaining cash, as directed by his or her handler(s).

B. Overt Acts

Victim L.M.

9. In March 2019, an unindicted co-conspirator(s) called Victim L.M. in Brazoria County, TX. The unindicted co-conspirator(s), purporting to be calling from the Internal Revenue Service (IRS) and the Drug Enforcement Administration (DEA), falsely claimed that there was a federal warrant for L.M.'s arrest. At the direction of the unindicted co-conspirator(s), L.M. mailed two parcels containing cash, including one addressed to "Jerry Kevin Rabb" at an apartment building in Whiting, Indiana.

10. On or about March 30, 2019, the parcel mailed by L.M. was delivered to the apartment building in Whiting, Indiana. An unindicted co-conspirator ("Runner M.S."), a runner managed by **HARDIK JAYANTILAL PATEL**, picked up L.M.'s parcel.

Victim C.M.

11. In May 2019, an unindicted co-conspirator(s) called Victim C.M. in Spring, TX. The unindicted co-conspirator(s), purporting to be calling from the Drug Enforcement Administration (DEA), falsely claimed that C.M.'s social security number had been used in money laundering and drug trafficking and that she needed to pay money to avoid being arrested. At the direction of the unindicted co-conspirator(s), C.M. mailed a parcel containing cash addressed to "Alrich Dmello" at a FedEx location inside a Walgreens drug store in Houston, Texas.

12. On or about May 7, 2019, an unindicted co-conspirator (“Runner W.M.”), a runner managed by **HARDIK JAYANTILAL PATEL**, entered the Walgreens store in Houston, Texas, presented a false identification document with the name “Alrich Dmello,” and was given the parcel mailed by C.M.

Victim G.S.

13. In August 2019, an unindicted co-conspirator(s) called Victim G.S. in New York, NY. The unindicted co-conspirator(s), purporting to be calling from the Social Security Administration, falsely claimed that G.S.’s social security number had been compromised and used to commit various crimes. At the direction of the unindicted co-conspirator(s), G.S. mailed a parcel containing cash addressed to “Barrat Moraes” at a FedEx location inside a Walgreens drug store in Houston, Texas.

14. On or about August 9, 2019, Runner W.M., a runner managed by **HARDIK JAYANTILAL PATEL**, entered the Walgreens store in Houston, Texas, presented a false identification document with the name “Barrat Moraes,” and was given the parcel mailed by G.S.

Victim R.E.

15. Beginning in or about August 2019, an unindicted co-conspirator(s) called Victim R.E. in Coral Gables, FL. The unindicted co-conspirator(s) falsely claimed that R.E. had been the victim of identity theft and that she needed to send money to resolve the issue and protect her identity. At the direction of the unindicted co-conspirator(s), R.E. mailed several parcels containing cash. One parcel (“Parcel #1”) was addressed to “Aaric Thomas” at a FedEx location inside a Walgreens drug store in Houston, Texas. Another parcel (“Parcel #2”) was addressed to “Aaric Thomas” at a FedEx location inside a Walgreens drug store in Missouri City, Texas.

16. On or about September 17, 2019, Runner W.M., a runner managed by **HARDIK JAYANTILAL PATEL**, entered the Walgreens store in Houston, Texas, presented a false identification document with the name “Aaric Thomas,” and was given Parcel #1 mailed by R.E.

17. On or about September 19, 2019, Runner W.M., a runner managed by **HARDIK JAYANTILAL PATEL**, entered the Walgreens store in Missouri City, Texas, presented a false identification document with the name “Aaric Thomas,” and was given Parcel #2 mailed by R.E.

Victims C.M. & J.K.

18. Beginning in or about September 2019, an unindicted co-conspirator(s) called Victim C.M. in Justice, Illinois. The unindicted co-conspirator(s), purporting to be a federal agent, threatened to come to C.M.’s home if C.M. did not send money or gift cards. At the direction of the unindicted co-conspirator(s), C.M. mailed several parcels containing cash. One parcel was addressed to “John Phillips” at a FedEx location inside a Walgreens drug store in Hammond, Indiana.

19. Beginning in or about October 2019, an unindicted co-conspirator(s) called Victim J.K. in Peoria, Illinois. The unindicted co-conspirator(s), purporting to be calling from the Social Security Administration (SSA), falsely claimed that J.K.’s social security number was under suspicion. At the direction of the unindicted co-conspirator(s), J.K. mailed two parcels containing cash, including one addressed to “John Phillips” at a FedEx location inside a Walgreens drug store in Hammond, Indiana.

20. On or about October 19, 2019, **DHIRENKUMAR VISHNUBHAI PATEL** entered the Walgreens store in Hammond, Indiana, presented a false identification document with the name “John Phillips,” was given the parcel mailed by C.M. and the parcel mail by J.K., and departed the Walgreens store.

All in violation of Title 18, United States Code, Section 1349.

COUNTS TWO THROUGH SIX
(Mail Fraud – 18 U.S.C. §§ 1341 and 2)

The Grand Jury re-alleges Paragraphs 1 - 21 of this Indictment.

21. On or about the dates set forth below, in the Southern District of Texas and elsewhere, the Defendant,

(1) HARDIK JAYANTILAL PATEL
aka Erik aka Mitesh aka Nick aka Dev,

with the intent to defraud, willfully participated in, with knowledge of its fraudulent nature, the above-described scheme and artifice to defraud and to obtain money and property by materially false and fraudulent pretenses, representations, and promises, and for the purpose of executing or attempting to execute the above-described scheme and artifice to defraud and deprive, did knowingly use and cause to be used the United States mail and private and commercial interstate carriers to send and deliver the mail matter set forth below.

| Ct. | Date | Mail Matter |
|------------|----------------|--|
| 2 | March 29, 2019 | Mail matter containing cash sent by Victim L.M. from an address in Lake Jackson, Texas. |
| 3 | May 7, 2019 | Mail matter containing cash sent by Victim C.M. and delivered to an address in Houston, Texas. |
| 4 | August 9, 2019 | Mail matter containing cash sent by Victim G.S. and delivered to an address in Houston, Texas. |

| Ct. | Date | Mail Matter |
|-----|--------------------|--|
| 5 | September 17, 2019 | Mail matter containing cash sent by Victim R.E. and delivered to an address in Houston, Texas. |
| 6 | September 19, 2019 | Mail matter containing cash sent by Victim R.E. and delivered to an address in Missouri City, Texas. |

All in violation of Title 18, United States Code, Section 1341 and 2.

COUNT SEVEN

(Conspiracy to Commit Money Laundering – 18 U.S.C. § 1956(h))

The Grand Jury re-alleges Paragraphs 1 - 22 of this Indictment.

22. Beginning in or about March 2019 and continuing through in or about November 2019, within the Southern District of Texas and elsewhere, the Defendants,

**(1) HARDIK JAYANTILAL PATEL
aka Erik aka Mitesh aka Nick aka Dev,**

and

(2) DHIRENKUMAR VISHNUBHAI PATEL,

did knowingly conspire with others known and unknown to the Grand Jury, to knowingly conduct and attempt to conduct a financial transaction affecting interstate and foreign commerce which involved the proceeds of specified unlawful activity, to wit, mail fraud, knowing that the property involved in the financial transaction represented the proceeds of some form of unlawful activity, and knowing that such transaction was designed in whole or in part to conceal and disguise the nature, location, source, ownership, and control of the proceeds of said specified unlawful activity, in violation of 18 U.S.C. § 1956(a)(1)(B)(i).

In violation of Title 18, United States Code, Section 1956(h).

NOTICE OF FORFEITURE
18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c)

Pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), the United States gives notice to Defendants,

(1) HARDIK JAYANTILAL PATEL
aka Erik aka Mitesh aka Nick aka Dev,

and

(2) DHIRENKUMAR VISHNUBHAI PATEL,

that in the event of conviction of Conspiracy to Commit Mail Fraud (18 U.S.C. § 1349) or Mail Fraud (18 U.S.C. 1341), the Defendants shall forfeit to the United States of America all property, real or personal, which constitutes or is derived from proceeds traceable to said violation(s).

NOTICE OF FORFEITURE
18 U.S.C. § 982(a)(1)

Pursuant to Title 18, United States Code, Section 982(a)(1), the United States gives notice to Defendants,

(1) HARDIK JAYANTILAL PATEL
aka Erik aka Mitesh aka Nick aka Dev,

and

(2) DHIRENKUMAR VISHNUBHAI PATEL,

that in the event of conviction of Conspiracy to Commit Money Laundering (18 U.S.C. § 1956(h)), the Defendants shall forfeit to the United States of America all property, real or personal, involved in such offense, and all property traceable to such property.

Money Judgment and Substitute Assets

The United States will seek imposition of a money judgment against each Defendant. In the event that a condition listed in Title 21, United States Code, Section 853(p) exists, the United States will seek to forfeit any other property of the Defendant in substitution up to the total value of the property subject to forfeiture.

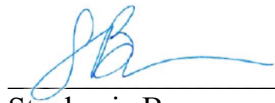
A True Bill:

Original Signature on File

Grand Jury Foreperson

ALAMDAR S. HAMDANI
United States Attorney

By:



Stephanie Bauman
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713-567-9000